REMARKS

This Application has been carefully reviewed in light of the Office Action mailed June 29, 2004. Claims 1-32 are pending and stand rejected. Reconsideration and favorable action are requested.

Rejections under 35 U.S.C. § 102

The Office Action rejects Claims 1, 16, and 25 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,530,852 issued to Meske et al. (*"Meske"*). Applicant respectfully traverses.

Claim 1 is allowable over *Meske* because *Meske* does not teach or suggest "generating a profile for a selected file, the profile identifying at least one associated file to be accessed by the selected file," as recited by Claim 1. As described in Applicant's Response dated September 24, 2004, column 6, line 38 to column 7, line 29 of *Meske* discloses creating a directory representing a profile, subdirectories representing topics within the profile, and storing parsed articles within each created subdirectory (*See* column 6, lines 37-51). Although this identified portion describes creating various directories based on a profile and information in the profile, it does not disclose generating a profile for a selected file **where the profile identifies a file to be accessed by the selected file**. In fact, according to *Meske*, a "profile" describes an article, such as a news article, using key words and the topic to which the article belongs (*See* column 6, lines 19-28). Such a description does not constitute a showing of a "profile" of Claim 1, and no other portion of *Meske* appears to disclose the missing limitation of Claim 1. Simply put, nothing in *Meske* teaches or suggests that its profile identifies files to be accessed by a selected file for which the profile was generated. For at least this reason, Claim 1 is allowable.

The Office Action responded to this argument stating at page 8 that "Meske is clear on providing a method for extracting profiles, generating files that contain profiles and topics (associated files) for [sic] used in accessing data described by the profile (*See Meske* Title)." But, even if this were correct, *Meske* still does not teach generating a profile for a selected file **when the profile identifies a file to be accessed by the selected file**. The profile generated in *Meske* does not identify a file to be accessed by the file for which the profile was generated. The email message shown at Figures 4, 5, and 7 for which the Office Action asserts a profile is generated, does not access a file identified by the profile. Rather, the email message contains the articles and subject headings that are parsed by element 400 of *Meske*

(Figure 4). Thus, instead of generating a profile for a selected file that identifies at least one file to be accessed by the selected file and transmitting to a server the selected file, the profile, and the at least one associated file, *Meske* involves receiving an email message containing articles and subject headings for which a more easily searchable directory structure is created (*See Meske,* column 6, lines 44-47 and Figure 7a). In short, *Meske* creates numerous files from the contents of a received email; it does not transfer files to be accessed by the received email — the email accesses no files.

The Office Action also states with respect to the above-identified limitation at page 8 that "[f]urther, to support Meske's intention of accessing data, Meske provides mechanisms for retrieving information containing a list of profiles and corresponding topic for each of the list of profiles (*See Meske,* column 2, lines 56-61)." But even if this were correct, *Meske* still does not teach generating a profile for a selected file **wherein the profile identifies a file to be accessed by the selected file**. The cited portion of *Meske* states "[i]n another embodiment a computer-implemented method and apparatus for retrieving information includes using a hypertext transfer protocol to display to a user a display generated from a first markup language, containing a list [sic] a profiles, and at least one corresponding topic for each of the list of profiles." This portion of *Meske* does not involve generating a profile for a selected file wherein the **profile identifies a file to be accessed by the selected file**. Neither the profiles nor the topics referred to in *Meske* are a selected file that accesses a file identified in a profile.

For at least this reason, Claim 1 is allowable. Reconsideration and favorable action are requested.

Claim 1 is allowable over *Meske* also because *Meske* does not teach or suggest "transmitting, to a server, the selected file, the profile, and the at least one associated file," as recited by Claim 1. As described in Applicant's Response dated September 24, 2004, FIGURES 1 and 2 of *Meske* merely show arrows that indicate that the client device and the server are operable to communicate with each other. For example, column 3, lines 56-60 and column 4, lines 34-39, which describe FIGURES 1-2, indicate that FIGURES 1-2 show a transmission of a request for information from a client device to a server, and a receipt of a response at the client device. However, neither the identified set of figures nor the associated description shows transmitting to a server a selected file, a profile that identifies a file to be accessed by the selected file, and the file identified by the profile. Further, column 2, line 20 through column 3, line 9 of *Meske* identified in the Office Action as showing this limitation

in fact describes handling a file of information and generating additional files in response to the receipt of the file, but discloses nothing about transmitting of the profile and files recited by Claim 1. Thus, Claim 1 is allowable. Favorable action is requested.

The Office Action responded to this argument at page 9 by reiterating that "the client server shown in Figures 1-2 serves the purpose of transmitting data [file [sic] the profile and the associated file] between the client and the server." But the fact that *Meske* shows a client server in Figures 1 and 2 is not sufficient to establish that *Meske* teaches "transmitting to the server, the selected file, the profile, and the at least one associated file [to be accessed by the selected file]."

It appears that the main point of *Meske* is to take an email that contains numerous articles with associated headings and create a more easily searchable file structure (*See* Background and Figures 4, 5, 6a, 6b, and 7a). Thus, the client server of Figures 1 and 2 is provided to allow a user to retrieve certain files stored on the server that the user deems pertinent. However, *Meske* does not involve the transmission to a server of a selected file, a profile identifying at least one associated file to be accessed by the selected file, and the at least one associated file. Indeed, it appears that the only file transmitted to the server in *Meske* is the email file (*See* Figure 4, for example).

For at least this additional reason, Claim 1 is allowable. Reconsideration and favorable action are requested.

Claims 16 and 25 are allowable for reasons analogous to those provided in conjunction with Claim 1. Claim 16 is allowable also because *Meske* does not teach or suggest "generating a profile for the parent file identifying **all of the descendent files** that are **immediately associated with** the parent file as immediately associated with the parent file," as recited by Claim 16. As described in Applicant's Response dated September 24, 2004, FIGURES 6A-6B and column 6, line 52-column 7, line 29 generally depict details of files that are created in a server, and the identified portion of the description mention the word "profile." But neither of the identified portions describes the profile as identifying all of the descendent files that are immediately associated with the parent file. Thus, Claim 16 is allowable.

In response to this argument, the Office Action stated "Meske discloses generating a profile for a selected file, the profile identifying at least one associated file to be accessed by the selected file. In addition, Meske has shown in Figures 6a-6b that files format include parent file, which are also identified where a profile for the parent is generated." But even if

correct, this does not teach that the profile identifies all of the descendent files that are immediately associated with the parent file, as described above. In addition, nothing in *Meske* discloses "transmitting the parent file, each descendent file in each level of the descendent files, and the profiles to the server," which is also recited by Claim 16. As described above, it appears that the only file transmitted to the server is an email file.

For at least this additional reason, Claim 16 is allowable.

As depending from allowable independent Claims 1, 16, and 25, dependent Claims 2-8, 17-24, and 26-32 are also allowable. Favorable action is requested.

Section 103 Rejections

The Office Action rejects Claims 2-15, 17-24, and 26-32 under 35 U.S.C. § 103(a) as being unpatentable over *Meske*, in view of U.S. Patent 5,721,906 issued to Siefert ("*Siefert*"). Applicant respectfully traverses.

Claim 9 is allowable over the cited references for reasons analogous to those provided in conjunction with Claim 1. Claim 9 is allowable also because *Siefert* does not teach or suggest "after transmitting the selected file, the profile, and all of the associated files, initiating downloading of the selected file from the server; identifying all of the associated files by examining the profile; and in response to identifying all of the associated files, initiating downloading of all of the associated files from the server," as recited by Claim 9.

As described in Applicant's Response dated September 24, 2004, the Examiner concedes that the unamended version of these limitations are not shown by *Meske*, but argues that column 4, lines 15-45, column 15, lines 31-40, and column 11, lines 10-57 of *Siefert* show the unamended limitations. Applicant respectfully submits that this is incorrect. For example, column 4, lines 15-45 of *Siefert* describes a profile (*see* column 4, line 29-31), but the profile is not described as identifying **all of the associated files to be accessed by the selected file**. (See FIGURE 48 of *Siefert*, which is described as showing an example of a profile of *Siefert*.) Column 15, lines 31-40 generally describes a "RESOURCE" being downloaded, but does not disclose initiating the download of **all of the associated files that are identified by examining a profile of the selected file**. Column 11, lines 10-57 describes downloading a "RESOURCE," and once the downloading process is complete, searching for a computer program which was used to create the "RESOURCE" to launch the computer program. However, this identified portion of *Siefert* also does not disclose initiating the download of a selected file, identifying all of the associated files by examining the profile of

the selected file, and initiating the download of all of the associated files. Thus, Claim 9 is allowable for at least these reasons.

> The Office Action responds to these arguments at page 9 stating,

> the Examiner disagrees because it is clear that Siefert provides a mechanism for downloading resources (*See* Siefert Col. 4, lines 15-45; Col. 15, lines 31-40; and Col. 11, lines 10-57). Specifically, Siefert discloses that resources are located at geographically diverse sites. The invention contains a descriptive profile for each resource, and allows any user to reach all profiles, and to search the profiles according to "fields" (a database term), such as by location of the resources, or by category of the resources. The user can order delivery of a selected resource, and the system causes delivery of the resource to be executed, irrespective of the form (e.g. physical object) of the resource.

But even if correct, this described teaching of Siefert does not disclose "initiating downloading of the selected file from the server; **identifying all of the associated files by examining the profile; and in response to identifying all of the associated files, initiating downloading of all the associated files from the server.**" For at least this reason, Claim 9 is allowable. Reconsideration and favorable action are requested.

Additionally, Claim 9 is allowable also because *Meske* does not teach or suggest "generating, at a client device, a profile for a selected file that is to be downloaded from a server, the profile identifying all associated files to be accessed by the selected file after the selected file is downloaded from the server," as recited by Claim 9. As described in Applicant's Response dated September 24, 2004, column 6, line 38 to column 7, line 29 of *Meske* does not show this limitation at least because the identified portion describes files that are being created **at the server**, not the client device. (See column 3, lines 25-27 - "FIGS. 6a and 6b [which are described by the identified portion of *Meske*] show more details of files **which are created in the server**." [emphasis added]). *Siefert* also does not show this limitation.

. Applicant has carefully reviewed the present Office Action and can find no specific assertion that the above- identified limitation is met by the cited references. Applicant has also been unable to locate any response by the Examiner in the present Office Action to the above argument that the cited references do not teach this limitation. For at least these reasons, Claim 9 is allowable. Reconsideration and favorable action are requested.

As depending from allowable independent Claims 1, 9, 16, and 25, dependent Claims 2-8, 9-15, 17-24, and 26-32 are also allowable. Favorable action is requested.
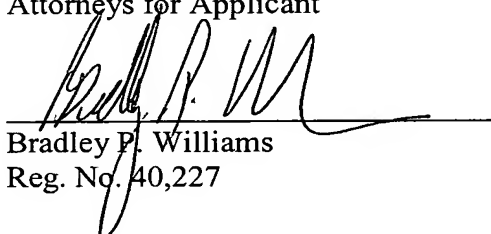
CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending Claims.

If the Examiner feels that a conference would advance prosecution of this Application in any manner, Bradley P. Williams stands willing to conduct such a telephone interview at the convenience of the Examiner. Mr. Williams may be reached at 214-953-6447.

Applicant does not believe that any fees are due. However, the Commissioner is hereby authorized to charge these fees and any extra fee or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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